

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-14, 24, and 43-52 are presently active; Claims 1, 9, 13, 24, 43, 50, and 52 are amended; and Claims 15-23 and 25-42 are canceled by the present amendment. Changes to the claims correct minor informalities. Thus, no new matter is added.

The outstanding Official Action rejected Claims 1, 9, and 43 under 35 U.S.C. § 101; and Claims 1-14, 24, and 43-51 were rejected under 35 U.S.C. § 103(a) as unpatentable over “An Efficient Fair Payment System” to Camenisch et al. (hereinafter “Camenisch”) in view of U.S. Patent Publication No. 2004/0002903 to Stolfo et al. (hereinafter “Stolfo”).

Rejections Under 35 U.S.C. § 101

Applicants respectfully traverse the rejection of Claim 1 under 35 U.S.C. § 101. Claim 1 recites populating a digital repository with data that is associated with the buyer. The data includes a buyer identification indicator, an indicator of a payment method, and an anonymous identifier. The digital repository is queried to determine the payment method for the anonymous identifier. After the digital repository is queried, payment approval from a payment partner is requested by providing the payment partner a description of the payment method determined by querying the digital repository. Thus, Applicants respectfully submit that Claim 1 recites a practical application that produces a concrete, tangible, and useful result such as storing information in a digital repository to indicate a payment method and querying the digital repository to retrieve the payment method. *See AT&T v. Excel Communications, Inc.*, 172 F.3d at 1358, 50 USPQ2d at 1452.

Rejections Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of Claim 1 under 35 U.S.C. § 103(a). Claim 1 is directed to a method of purchasing a product while maintaining anonymity of the buyer. The method includes the steps of (1) receiving from the buyer an indicator of a payment method; (2) assigning an anonymous identifier to the indicator that corresponds to the payment method; (3) populating a digital repository with the data that is associated with the buyer, the data including a buyer identification indicator, the indicator of the payment method, and the anonymous identifier; (4) receiving from the buyer *the anonymous identifier as an anonymous payment method* for the product the buyer is purchasing; and (5) querying the digital repository *to determine the payment method* from the received anonymous identifier.

Camenisch describes a payment system that provides anonymity between a buyer and seller where a trusted third party removes the anonymity of a transaction if the system is being misused by criminals.¹ Camenisch describes a bank having accounts for both a customer and a seller where an anonymous payment is a transaction from a customer's anonymous account to the seller's account when a customer is making a purchase. The system in Camenisch transfers money from a customer's anonymous account to a seller's account without revealing the identity of the customer.² The outstanding Official Action of June 27, 2005 acknowledges that Camenisch fails to disclose or suggest providing an anonymous identifier as an anonymous payment method and querying a digital repository to determine the payment method from the anonymous identifier.³

To cure the deficiency in Camenisch, the outstanding Official Action relies on Stolfo. Stolfo describes a system that provides for users of a communications network, such as the

¹ See Camenisch at section 1.

² See Camenisch at section 3.

³ See outstanding Official Action of June 27, 2005 at page 4.

Internet, to communicate, order and purchase, and charge or electronically pay for deliverables using the network, while securing such information of a private or personal nature of the users with respect to unauthorized parties.⁴

Stolfo describes that a user or first party may communicate over a network with a second party using a proxy. The proxy provides a different identity for a user for a set of communications for each transaction with the second party.⁵ Alternatively, the proxy may provide the same identity for a user for all communications and transactions of the second party. In this embodiment, the proxy can provide a user name which is a function of a unique name or proxy identifier of each user in the proxy's identity for each transaction. Thus, through use of a proxy, a user history may be compiled by vendors and others for a user who is anonymous to the vendors, i.e., second party.⁶ The proxy may also alter information from the first party directed to the network or the second party so that the second party cannot ascertain the first party's private and personal information.⁷

The party issuing the transacting identity may be a bank or credit card company which may also provide the first user with an account which also cannot be linked to the true identity of the first party. A second party merchant forwards the transacting identity and account number to the bank or credit card company, which has a database linking the true identities and true accounts to the transacting identities and accounts. The bank or credit card company credits the merchant and debits the true account of the transacting first party.⁸

When a first party is making a purchase, the proxy system submits a transaction to the bank where a server of the proxy system transmits purchasing information to a bank as if a customer (the user) were purchasing from the proxy system. The proxy system passes to the

⁴ See Stolfo at paragraph 43.

⁵ See Stolfo at paragraph 47.

⁶ See Stolfo at paragraph 48.

⁷ See Stolfo at paragraph 49.

⁸ See Stolfo at paragraph 63.

bank the user's proxy identifier that allows the bank to identify the user as a bank customer and access the customer's account. The proxy system database may store user bank account information linked to the proxy identifier, and the proxy system may transmit this account information to the bank.⁹ The proxy system may charge the user an amount that is displayed to the user with confirmation information that the user's order and credit card transaction have been completed and authorized.¹⁰

Alternatively, Stolfo describes that a proxy is not required where a user is provided a transacting identity, and the second parties and others cannot link the true identity or their private or personal information to the first party with the transacting identity. Thus, all communications from the first party appear to others to be from a party with an identity of the transacting identifier.¹¹ When a purchase is involved, a bank or credit clearing entity stores information linking the true identity of the user and the transacting identity. The bank or credit clearing entity generates these transacting identifies for all customers who use the system, and provides a database linking the transacting and true identities. When a retailer provides the bank or credit card clearing entity with a transacting identity, they link the true identity to process the transaction. Thus, only the bank or credit card clearing entity will know the true identity of the user.¹²

Claim 1 is distinguishable over Stolfo as the applied reference fails to disclose or suggest *receiving, by the third trusted party from the buyer, an anonymous identifier as an anonymous payment method for a product the buyer is purchasing*. Stolfo merely describes a bank or credit card clearing company receiving from a proxy or a retailer a proxy identifier or a transacting identify of a user.¹³ Although the retailer does not know the identity of the

⁹ See Stolfo at paragraph 140.

¹⁰ See Stolfo at paragraph 142.

¹¹ See Stolfo at paragraph 51.

¹² See Stolfo at paragraph 51.

¹³ See Stolfo at paragraphs 47 and 51.

buyer, the retailer knows that the payment method would be through the bank or credit card clearing company.¹⁴ Therefore, the proxy identifier and the transacting identity is not used to indicate *an anonymous payment method for the product the buyer is purchasing*.

Furthermore, Claim 1 is distinguishable over Stolfo as the applied reference fails to disclose or suggest *querying a digital repository to determine the payment method from the received anonymous identifier*. Stolfo merely describes that when a bank or credit card clearing company receives a transacting identity or proxy identifier, the bank or credit card clearing company checks the database to link the transacting identity to a true identity of a customer.¹⁵ While a database is used to associate a transacting or proxy identifier with a customer's account, Stolfo neither discloses nor suggests that the bank or credit card clearing company queries the database to *determine the payment method from the received transacting identity*.

Accordingly, Applicants submit that Camenisch and Stolfo fail to disclose or suggest all the limitations of Claim 1. Therefore, Applicants respectfully request that the rejection of Claim 1, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Claim 9 is directed to a method that recites *receiving an anonymous identifier as an anonymous payment method and querying a digital repository to determine a prefunded cash account*. As these limitations are analogous to the limitations recited in Claim 1, Applicants respectfully submit that Camenisch and Stolfo fail to disclose or suggest all the limitations of Claim 9 for at least the reasons stated above for the rejection of Claim 1 under 35 U.S.C. § 103(a). Accordingly, Applicants respectfully request that the rejection of Claim 9, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

¹⁴ See Stolfo at paragraphs 51, 140, and 141.

¹⁵ See Stolfo at paragraphs 51 and 63.

Claim 24 is directed to a system that comprises *means for receiving an anonymous identifier as an anonymous payment method* and *means for querying a digital repository to determine the payment method*. As these limitations are analogous to limitations recited in Claim 1, Applicants respectfully submit that Camenisch and Stolfo fail to disclose or suggest all the limitations of Claim 24 for at least the reasons stated above for the rejection of Claim 1 under 35 U.S.C. § 103(a). Accordingly, Applicants respectfully request that the rejection of Claim 24, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Claim 43 is directed to a method reciting *receiving an anonymous identifier as an anonymous payment method* and *querying a digital repository to determine the payment method*. As these limitations are analogous to the limitations recited in Claim 1, Applicants respectfully submit that Camenisch and Stolfo fail to disclose or suggest all the limitations of Claim 43 for at least the reasons stated above for the rejection of Claim 1 under 35 U.S.C. § 103(a). Accordingly, Applicants respectfully request that the rejection of Claim 43, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Claim 52 is directed to a method that recites *receiving from a buyer an anonymous identifier, which indicates a selected payment method by a buyer* and *retrieving a description of the selected payment method from a database*.

Claim 52 is distinguishable over Camenisch and Stolfo as the references fail to disclose or suggest *receiving from a buyer an anonymous identifier, which indicates a selected payment method by the buyer*. Camenisch neither discloses nor suggests that a trusted third party receives an anonymous identifier which indicates a selected payment

method. Additionally, Stolfo merely describes that a second party vendor or a retailer receives a proxy identifier or transacting identity.¹⁶ However, Stolfo neither discloses nor suggests that the proxy identifier or transacting identity indicates *a selected payment method by a buyer*.

Additionally, Claim 52 is distinguishable over Camenisch and Stolfo as the applied references fail to disclose or suggest *retrieving a description of the selected payment method from a database*. Camenisch neither discloses nor suggests the use of a database to retrieve a description of the selected payment method. Additionally, Stolfo merely describes that a database is used to store transaction identities that are linked to a user's real identity.¹⁷ Stolfo neither discloses nor suggests that *a description of the selected payment method* is retrieved from the database holding the transaction identities.

Thus, Applicants respectfully submit that Camenisch and Stolfo fail to disclose or suggest all the limitations of Claim 52. Accordingly, Applicants respectfully request that the rejection of Claim 52, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

¹⁶ See Stolfo at paragraphs 47 and 51.

¹⁷ See Stolfo at paragraphs 51 and 140.

Consequently, in view of the present response, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance for Claims 1-14, 24, and 43-52 is earnestly solicited.

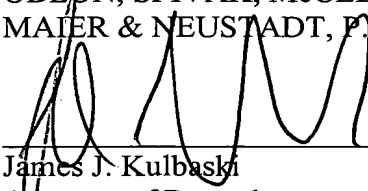
Respectfully submitted,

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